REGISTER OF CLASSIFICATION DECISIONS

Title of Publication:	The Picture #1040
Other Known Title:	The Picture August 13, 2008
Medium:	Magazine
Director/Author:	Not Stated
Producer/Publisher:	ACP Magazines Ltd
Country of Origin:	Australia
Language:	English
Applicant:	Secretary for Internal Affairs
Distributor:	Netlink Distribution
Classification:	Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.
Descriptive Note:	Not Applicable
Display Conditions:	**Either** That when the publication is on public display, the classification given to the publication must be shown by way of a label issued in accordance with a direction under section 36A(2); and That the label must be affixed to the package in which the publication is displayed so that the classification is brought to the attention of purchasers; and that the publication must be publicly displayed only in a sealed package.

Or

That when the publication is on public display, the classification given to the publication must be shown by way of a label issued in accordance with a direction under section 36A(2);

and

That the label must be affixed to the front of the publication in such a manner that it is visible at all times;

and

the publication must be publicly displayed only in premises, or a part of premises, set aside for the public display of restricted publications (whether or not articles other than restricted publications are also displayed in those premises or that part of those premises).

Date of entry in Register: 19 November 2008

Date of direction to issue a label: 19 November 2008

OFLC No: 801887

Excisions: Not Applicable

Reasons for excisions:

Not Applicable

Summary of reasons for classification:

The magazine entitled *The Picture #1040* is classified as:
Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.

The availability of the magazine needs to be restricted to adults because of its sexual content. The magazine contains sexualised images of naked women and sexually explicit stories. Children and young persons do not necessarily have the maturity or experience to deal with explicit sexual material intended for an adult audience. This type of material may confuse and disturb children, and may have a negative effect upon young people who are in the process of forming sexual attitudes and behaviours by providing such a degree of information on adult sexual activity before they are adults themselves.

The Office of Film and Literature Classification has considered the effects of the Bill of Rights on the application of the classification criteria. A restriction to adults reflects the concerns of a free and democratic society to limit the availability of publications that deal with sex in a manner that is likely to be injurious to children and young people. This is a reasonable and justified limitation to freedom of expression.